

EXHIBIT E

Christopher Kelly

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

In re Terrorist Attacks on September 11, 2001	03-md-1570 (GBD)(SN) ECF Case
This document relates to: <i>Gaston, et al. v. The Islamic Republic of Iran</i>	18-cv-12337 (GBD)(SN) ECF Case

DECLARATION OF CHRISTOPHER KELLY

I, Christopher Kelly, pursuant to 28 U.S.C. § 1746, do hereby declare under penalty of perjury as follows:

1. I am more than eighteen (18) years of age and I have personal knowledge of and am competent to testify to the matters stated in this declaration.

2. I was a citizen of the United States on September 11, 2001, and I remain so today.

3. On September 11, 2001, I was employed by the New York City Fire Department (FDNY) and was assigned to Ladder Company 55 in the South Bronx. I was off duty the morning of the attacks and learned of them from news reports on the car radio. I had been out with my wife that morning, so I drove her to our home and then reported to the firehouse. I arrived at the firehouse around noon. Those of us who were there were advised to get our gear and wait for further instructions. We were specifically told not to proceed to the WTC on our own. We were not sent into Manhattan on the day of the attacks.

4. The following afternoon, September 12, we joined the search and rescue effort at Ground Zero. I was sent underground into the subway to search for possible survivors. Some of the stairways were passable, but most of the places we were searching required us to crawl to gain access to them. The subway looked like something out of science fiction. There was no noise,

there were no people, and it was completely covered with collapsed concrete and rock. We found no survivors.

5. After the first day at Ground Zero, our assignments varied depending on where we were needed. We worked shifts of 24 hours on/24 hours off and were assigned to either Ground Zero or one of the firehouses in Manhattan where so many firefighters had been lost on 9/11 they could not be adequately operated without the support of firefighters from other parts of the city. I was assigned to Ground Zero a total of ten or twelve days in the weeks following the attacks and at nearby firehouses in the Bronx and Manhattan for months. The rescue effort very quickly turned into a recovery effort when it became clear there were no survivors after the first day or two. While working at Ground Zero, we had no special personal protective equipment in addition to our normal firefighting gear. The only protective equipment we were provided were N90 masks which were difficult to work in and were ineffective at filtering the particulate matter swirling throughout the site.

6. In the summer of 2002, I began having problems with my sinuses which caused severe, debilitating headaches. I went to a private physician and was diagnosed with a sinus infection. Despite treatment, I continued to develop sinus infections periodically throughout the year. This led me to begin medical monitoring through the FDNY and later through the World Trade Center Health Program (WTCHP). In the years that I have participated in the WTCHP, I have been treated for sinusitis, esophageal reflux, basal cell carcinoma of the skin, and in 2012, I was diagnosed with melanoma on my back which had to be excised. Each of these conditions has been approved for treatment as causally connected to my exposure to the toxins at Ground Zero. I have continued medical monitoring through WTCHP annually, with visits twice a year with program dermatologists due to my history of skin cancer.

7. Subsequent to the diagnoses of my medical conditions by the WTCHP, I pursued a claim with the VCF and was found eligible for compensation for sinusitis, esophageal reflux, basal cell carcinoma, and melanoma. A true and correct copy of the VCF eligibility determination letter documenting the physical injuries I suffered as the result of the attacks on 9/11 is submitted with this declaration as part of this exhibit.

I DECLARE UNDER PENALTY OF PERJURY that the foregoing is true and correct.

DATED this 16th day of July, 2025.

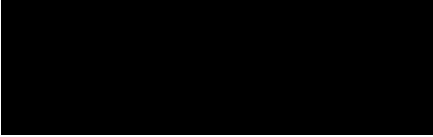

Declarant Christopher Kelly



September 11th
Victim Compensation Fund

February 6, 2019

CHRISTOPHER KELLY



Dear CHRISTOPHER KELLY:

The September 11th Victim Compensation Fund ("VCF") has reviewed your Eligibility Form. Your claim number is VCF0105720. Your Eligibility Form was determined to be substantially complete on February 05, 2019. As stated in the regulations and on the claim form, by filing a substantially complete Eligibility Form you have waived your right to file or be a party to a September 11th-related lawsuit.

The Decision on your Claim

The VCF has determined that you meet the eligibility criteria established in the statute and regulations. Based on the information you submitted and information the VCF has received from the World Trade Center ("WTC") Health Program, you have been found eligible for the following injuries:

- BASAL CELL CARCINOMA OF SKIN, UNSPECIFIED
- ESOPHAGEAL REFLUX
- MELANOMA IN SITU UNSPECIFIED
- UNSPECIFIED SINUSITIS

Please note that there are several reasons why an injury that you think should be eligible is not listed above. For non-traumatic injuries, the name of the injury is based on the information provided by the WTC Health Program and there may be different names for the same injury. Additionally, your injury may not be listed if it was only recently certified for treatment by the WTC Health Program.

If in the future the WTC Health Program should notify you that a condition previously found eligible is no longer certified, you must inform the VCF as this may affect your eligibility status and/or the amount of your award.

What Happens Next

If you have been certified for treatment by the WTC Health Program for a condition not listed above, you should amend your claim. Please see the VCF website for details on how to amend your claim. The VCF will review the new information and determine if it provides the basis for a revised decision.



September 11th
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If you believe you have eligible injuries that are not being treated by the WTC Health Program and you would like the VCF to consider those injuries before calculating your award, you should amend your claim. If you choose to amend your claim, you must first seek certification for the condition(s) from the WTC Health Program. Seeking certification for your condition provides the VCF with the necessary evidence that the condition is eligible for compensation. Please note, however, that because additional certifications do not necessarily impact the amount of your award, we recommend that you wait to receive your award letter to determine whether to seek certification for any additional condition(s).

If you do not have injuries other than those listed above, you should submit your Compensation Form and required supporting materials. If you have already submitted your Compensation Form, you do not need to take any action at this time unless you receive a request from the VCF for missing information. The VCF will calculate the amount of any compensation based on the conditions listed above after all compensation-related documents are submitted.

If you have questions about the information in this letter or the claims process in general, please call our toll-free Helpline at 1-855-885-1555. For the hearing impaired, please call 1-855-885-1558 (TDD). If you are calling from outside the United States, please call 1-202-514-1100.

Sincerely,

Rupa Bhattacharyya
Special Master
September 11th Victim Compensation Fund

cc: CHRISTOPHER KELLY